



FH

STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION

MPA- 174202

PRELIMINARY RECITALS

On May 5, 2016, the above petitioner filed a hearing request under Wis. Admin. Code § HA 3.03(1), to challenge a decision by the Division of Health Care Access and Accountability (Division or DHCAA) regarding Medical Assistance (MA). The hearing was held on June 23, 2016, by telephone. The matter was held open 1 day post-hearing for petitioner to submit additional information. On July 12, 2016 the DHCAA Consultant confirmed that the requested periodontal scaling and planing was now approved.

There is no issue for determination as the matter is now moot.

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

Respondent:

Department of Health Services
1 West Wilson Street, Room 651
Madison, Wisconsin 53702

By: written submittal of [REDACTED]
Division of Health Care Access and Accountability
PO Box 309
Madison, WI 53701-0309

ADMINISTRATIVE LAW JUDGE:

Kelly Cochrane
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Sheboygan County. She is certified for MA.
2. On or about March 17, 2016, a prior authorization (PA) request was submitted on the petitioner's behalf for periodontal scaling and planing, and periodontal maintenance.
3. On March 29, 2016 the DHCAA issued written notice of modification to that PA, allowing only the periodontal maintenance. Petitioner timely appealed therefrom.
4. A telephonic hearing was held on June 23, 2016. The matter was held open 1 day post-hearing for petitioner to submit additional information. On July 12, 2016 the DHCAA Consultant confirmed that the requested periodontal scaling and planing was now approved, so there is no further action for me to order here.

DISCUSSION

The petitioner appealed from the denial of a prior authorization request for periodontal scaling and planing. However, the DHCAA subsequently approved the request. Because the DHCAA has now approved the requested service, the issue is moot and there is nothing for me to order here.

I note to the petitioner that her provider will not receive a copy of this Decision. In order to have the periodontal scaling and planing approved, the petitioner must provide a copy of this Decision to her provider, [REDACTED]. The provider must then submit a *new* prior authorization request, along with a copy of this Decision, to receive the approved coverage.

CONCLUSIONS OF LAW

1. Because the DHCAA has now approved the periodontal scaling and planing, the issue is moot.

THEREFORE, it is

ORDERED

That the petition be dismissed.

REQUEST FOR A REHEARING

You may request a rehearing if you think this decision is based on a serious mistake in the facts or the law or if you have found new evidence that would change the decision. Your request must be **received within 20 days after the date of this decision**. Late requests cannot be granted.

Send your request for rehearing in writing to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400 **and** to those identified in this decision as "PARTIES IN INTEREST." Your rehearing request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and explain why you did not have it at your first hearing. If your request does not explain these things, it will be denied.

The process for requesting a rehearing may be found at Wis. Stat. § 227.49. A copy of the statutes may be found online or at your local library or courthouse.

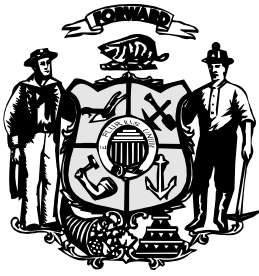
APPEAL TO COURT

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the Court **and** served either personally or by certified mail on the Secretary of the Department of Health Services, 1 West Wilson Street, Room 651, **and** on those identified in this decision as “PARTIES IN INTEREST” **no more than 30 days after the date of this decision** or 30 days after a denial of a timely rehearing (if you request one).

The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Milwaukee,
Wisconsin, this 13th day of July, 2016

\s _____
Kelly Cochrane
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

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Madison, WI 53705-5400

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The preceding decision was sent to the following parties on July 13, 2016.

Division of Health Care Access and Accountability